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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.275 of 2007
IN
INCOME TAX APPEAL LODGING NO.48 OF 2007

The Commissioner of Income-tax Mumbai ..Appellant

Vs.

Shri J.N. Virji ..Respondent

Mr. B.M. Chatterji with Mrs. P.P. Bhosale and Mr. P.S. Sahadevan for the Appellant.
Mr. P.J. Pardiwala with Ms. Chitra Rao i/b. M. & M. Legal Ventures for the Respondent.

**CORAM: F.I. REBELLO &**
**J.P.DEVADHAR,JJ.**
**DATED: 29th October, 2007**

**P.C.:**

. The delay is less than 200 days. Considering the practical difficulties which the Department was facing including referring the matters to the Law Department, Government of India for drafting the Appeal Memo and considering the affidavit in support of the Notice of Motion, in our opinion, the cause shown would amount to sufficient cause. Hence, delay condoned. The Notice of Motion is allowed in terms of prayer clause (a).

2. Office to register the Appeal.

**(J.P.DEVADHAR, J.)** **(F.I.REBELLO, J.)**